

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

WISCONSIN ALUMNI RESEARCH
FOUNDATION,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 3:14-cv-00062-WMC

**APPLE'S RESPONSE TO WARF'S OFFER OF EVIDENCE REGARDING
PLAINTIFF'S TRIAL EXHIBIT NO. PX 574**

Apple submits the following response to WARF's offer of evidence regarding trial exhibit PX-574.

Apple's representation to the court regarding the date of PX-574 was based on WARF's exhibit list, which lists the date of the document as July 3, 2014. (Dkt. 456-1 at 80.) In light of the evidence offered by WARF, Apple does not dispute that the document was posted to online prior to the start of the instant litigation.

Nevertheless, Apple maintains its objection to each of WARF's web pages because they were posted after WARF's litigation with Intel regarding the '752 patent and during a time when WARF was likely contemplating litigation against Apple. As a result, the documents are still litigation-driven, self-serving, hearsay that may not properly be offered by WARF for their truth. For example, PX-574 discusses "the computer processor discoveries of . . . Gurindar Sohi" as "success stories" which are "essential in helping industry create computers that are faster, greener, and powerful enough to tackle our many global problems." These statements, little

more than self-serving marketing statements written by WARF, are not probative of any issue in this case, and would be highly prejudicial to Apple. Accordingly, Apple respectfully requests that the Court exclude these documents as hearsay and unfairly prejudicial.

Dated: September 27, 2015

Respectfully submitted,

/s/ Derek Gosma

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